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12 Attorneys for Defendant **COUNTY OF LOS ANGELES**

13 **UNITED STATES DISTRICT COURT**

14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

15 **SHELDON LOCKETT,**

16 Plaintiff

17 v.

18 **COUNTY OF LOS ANGELES, a**
19 **public entity; LOS ANGELES**
20 **COUNTY SHERIFF'S**
21 **DEPARTMENT, a law enforcement**
22 **agency; SHERIFF JIM**
23 **McDONNELL; MIZRAIN**
24 **ORREGO, a Deputy Los Angeles**
25 **County Sheriff; SAMUEL**
26 **ALDAMA, a Deputy Los Angeles**
27 **County Sheriff; and DOES 1**
28 **through 100, inclusive,**

Defendants

CASE NO.: 18-CV-5838-DSF-JPR

*[Honorable Dale S. Fischer United
States District Judge, Presiding]*

**DECLARATION OF RICKEY
IVIE IN SUPPOR TOF
DEFENDANTS' MOTION IN
LIMINE NO. 5 TO EXCLUDE
EVIDENCE, ARGUMENT OR
TESTIMONY RE: ALLEGED
UNLAWFUL ARREST AND
FABRICATION OF EVIDENCE**

*[Filed Concurrently with
Defendants' Proposed Order]*

Final Pre-trial Conference:

Date: November 15, 2021

Time: 3:00 p.m.

Courtroom: 7D

Trial

Date: December 14, 2021

Time: 8:30 a.m.

Courtroom: 7D

DECLARATION OF RICKEY IVIE, ESQ.

I, Rickey Ivie, declare:

1. I am an attorney at law duly licensed and admitted to practice in the State of California and in the United States District Court for the Central, District of California, I am an attorney with the law firm of Ivie McNeill Wyatt Purcell & Diggs, APLC attorneys of record for Defendants COUNTY OF LOS ANGELES, et.al. in this case. The foregoing facts are within my personal knowledge and, if called as a witness herein, I can and will competently testify thereto.

2. This declaration is made in support of Defendants Motion *in Limine* No. 3 to Exclude Evidence, Argument or Testimony re: Alleged Unlawful Arrest and Fabrication of Evidence

3. **MEET AND CONFER** On September 21, 2021, the parties began to meet and confer in advance of a Rule 16 pretrial conference of counsel and continued at various dates and times thereafter, including multiple video conferences, letters outlining this and other motions in limine, emails, etc. The final correspondence regarding Defendants' proposed motions in limine was dated October 11, 2021. All counsel participated and the undersigned counsel for Defendants County of Los Angeles and the Los Angeles Sheriff's Department certifies that the following motion and related documents reflect compliance with the FRCP, local rules, and this Court's pretrial orders.

4. On June 10, 2020, Plaintiff served Plaintiffs' Expert Disclosures, a true and correct copy of which is attached hereto as **Exhibit 1**.

5. Plaintiff's expert, especially Michael Kraut, offer opinions that the evidence was fabrication and, thus, prosecution unlawful and damaging or otherwise only relevant to a "fabrication/suppression of evidence claim." A true and correct copy of Mr. Kraut's report is attached hereto as **Exhibit 2**.

1 6. A true and correct copy Plaintiffs' expert, Dr. Michele Cooley-
2 Strickland's declaration and report is attached hereto as **Exhibit 3**.

3 7. A true and correct copy Plaintiffs' expert, Mr. Roger Clark's,
4 report is attached hereto as **Exhibit 4**.

5 8. A true and correct copy Plaintiffs' expert, Mr. Bryan Burnett's,
6 report is attached hereto as **Exhibit 5**.

7 9. A true and correct copy Plaintiffs' expert, Mitchell L. Einsen,
8 Ph.D., report is attached hereto as **Exhibit 6**.

9 I declare under the penalty of perjury of the laws in the State of
10 California and the United States that the foregoing is true and correct.
11 Executed on this 26th day of October, 2021, at Los Angeles, California.

12 /s/ Rickey Ivie
13 Rickey Ivie, Declarant
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